

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

MARK BREAKIRON,	:	
Petitioner	:	
	:	Civil Action No. 00-300
v.	:	
	:	Judge William L. Standish
MARTIN HORN, et al.,	:	
Respondents	:	THIS IS A CAPITAL CASE

MOTION TO WITHDRAW APPEARANCES

Respondents, by and through its attorneys, requests that the appearances of William H. Ryan, Jr., Robert A. Graci, and Marianne K. Fogelsanger be withdrawn in the above referenced case for the reasons set forth below.

1. William H. Ryan, Jr. is currently the First Deputy Attorney General for the Commonwealth of Pennsylvania. In his capacity as First Deputy, Ryan oversees all legal and administrative matters for the Office of Attorney General. As First Deputy he also serves as the principal advisor to Attorney General Corbett on all major issues. In this capacity, he does not personally handle any cases.

2. Robert A. Graci and Marianne K. Fogelsanger are no longer employed by the Office of Attorney General.

3. Christopher D. Carusone, Senior Deputy Attorney General, Capital Litigation Unit, is the attorney handling the case for respondents.

WHEREFORE, for the reasons set forth above, respondents request the Court grant this motion for withdraw on behalf of William H. Ryan, Jr., Robert A. Graci and Marianne K. Fogelsanger.

Respectfully submitted,

THOMAS W. CORBETT, JR.
Attorney General

/s/ Christopher D. Carusone
BY: CHRISTOPHER D. CARUSONE
Senior Deputy Attorney General
Attorney ID# 71160

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Date: March 8, 2006

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CERTIFICATE OF SERVICE

AND NOW, this 8th day of March, 2006, I, Christopher D. Carusone, Senior Deputy Attorney General, counsel for respondents in the above-captioned matter, hereby certify that I this day served the foregoing **Motion To Withdraw Appearances** by causing a copy of the same to be transmitted *via* email, addressed as follows:

**James Anderson, Esquire
Assistant Federal Public Defender
Capital Habeas Corpus Unit
1450 Liberty Center
1001 Liberty Avenue
Pittsburgh, PA 15222-3714
James Anderson [James_Anderson@fd.org]
(Counsel for Petitioner)**

/s/ Christopher D. Carusone
CHRISTOPHER D. CARUSONE
Senior Deputy Attorney General